

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**TYSHEED DAVIS,**

**Plaintiff**

**v.**

**IN THE UNITED STATES  
DISTRICT COURT FOR THE  
EASTERN DISTRICT  
OF PENNSYLVANIA, et al.,  
Defendants**

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**CIVIL ACTION NO. 22-CV-2477**

**ORDER**

AND NOW, this 16<sup>th</sup> day of August, 2022, upon consideration of Tysheed Davis's Motion to Proceed *In Forma Pauperis* (ECF No. 1), Prisoner Trust Fund Account Statement (ECF No. 5), and *pro se* Complaint (ECF No. 2), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. Tysheed Davis, #KC-5313, must pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b). The Court directs the Superintendent of SCI-Dallas or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Mr. Davis's inmate account; or (b) the average monthly balance in Mr. Davis's inmate account for the six-month period immediately preceding the filing of this case. The Superintendent or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the Court with a reference to the docket number for this case. In each succeeding month when the amount in Mr. Davis's inmate trust fund account exceeds \$10.00, the Superintendent or other appropriate official shall forward payments to the Clerk of Court in the Eastern District of Pennsylvania equaling 20% of the preceding month's

income credited to Mr. Davis's inmate account until the fees are paid. Each payment must refer to the docket number for this case.


3. The Clerk of Court is **DIRECTED** to send a copy of this Order to the Superintendent of SCI-Dallas.

4. The Complaint is **DEEMED** filed.

5. Mr. Davis's Complaint is **DISMISSED WITH PREJUDICE** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for the reasons stated in the Court's Memorandum.

6. The Clerk of Court must **CLOSE** this case for all purposes, including statistics.

**BY THE COURT:**

  
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**GENE E.K. PRATTER, J.**